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EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

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नई दिल्ली, सोमवार, फरवरी 16, 1987/माघ 27, 1908
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

SUPREME COURT OF INDIA

NOTIFICATION

New Delhi, the 16th February, 1987

GSR 96(E)—In exercise of the powers conferred by Article 145 of the Constitution and all other powers enabling it in this behalf, the Supreme Court hereby makes, with the approval of the President, the following rules further to amend the Supreme Court Rules, 1966, namely —

1 (1) These rules may be called the Supreme Court (First Amendment) Rules, 1987

(2) They shall come into force on the date of their publication in the official Gazette

2 In the Supreme Court Rules, 1986,—(a) After Order XX-B and the rules relating thereto, the following shall be inserted namely :—

“Order XX-C : Appeals under Section 14 of the Terrorist Affected Areas (Special Courts) Act, 1984”.

1 The Petition of Appeal shall, subject to the provisions of sections 4, 5 and 12 of the Limitation Act, 1963 (36 of 1963) be presented within a period of thirty days from the date of judgment, sentence or order appealed from :

Provided that in computing the said period, the time requisite for obtaining a copy of the said judgment, sentence or order, shall be excluded

Provided further that the Supreme Court may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant has sufficient cause for not preferring the appeal within the period of thirty days

(2) The petition of appeal shall be registered and numbered as soon as it is found to be in order and the Registry shall immediately thereafter issue notice of lodgment of petition of appeal to the respondents with a copy to the Standing Counsel of the State concerned

(3) The notice of lodgment of petition of appeal shall specify the date fixed for hearing the appeal which shall be two weeks from the date of lodgment of the petition of Appeal

(4) The Registry shall, immediately on the issue of the notice of lodgment of petition of appeal, ask the Special Court concerned to transmit to this Court within ten days the entire original record relating to the appeal.

(5) The appeal shall be listed before the Court for final hearing at the top of the daily list on the date fixed irrespective of whether the State has entered appearance or not and whether the record has been received or not from the Special Court concerned.

(6) The appeal shall be heard on the paper books filed by the counsel. The original records shall be placed before the Court at the hearing of the appeal.

(7) Save as otherwise provided by the rules contained in this Order, the provisions of Order XXI relating to Criminal Appeals shall, as far as may be, apply to appeals filed under section 14 of the Terrorist affected Areas (Special Courts) Act, 1984.

(b) In Order XXXVI, (1) in the heading, the words 'and section 11 of the Terrorist Affected Areas (Special Courts) Act, 1984' shall be added at the end after the words "Criminal Procedure Code, 1973."

(ii) In rule 1, the words 'or under section 11 of the Terrorist Affected Areas (Special Courts) Act, 1984' shall be added after the words 'Criminal Procedure Code, 1973' appearing in the first sentence in the said rule.

(c) In Order XXI rule 15(1), Clause (c), the words 'where the contemner has been convicted and sentenced to pay fine only' shall be deleted.

(d) In rule 8(1) of Order X, a proviso shall be added, as under :—

'Provided however, that no court fees or process fee shall be chargeable in respect of matters filed in this Court through the Supreme Court Legal Aid Committee'.

(e) In rule 2 Order II, for the words '10.30 A.M. to 1.30 A.M.' occurring in line 2, the words '10.00 to 1.00 P.M.' shall be substituted and for words '12.30 P.M.' occurring in line 4, the words '12 noon' shall be substituted.

[F. 2/84-A.B. Sec. II]

By Order of the Court,

H. S. MUNJRAL, Addl. Registrar (Judicial)